

HALL COUNTY BOARD OF SUPERVISORS MEETING MAY 20, 2003

The Hall County Board of Supervisors met May 20, 2003, by published call in the county board meeting room, 121 South Pine, Grand Island.

CALL TO ORDER- The meeting was called to order Chairman Pamela Lancaster

INVOCATION - Invocation was given by Rev. Schwandt

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was given in unison

ROLL CALL – Present on roll call were Scott Arnold, Jim Eriksen, Dick Hartman, Bob Humiston, Bud Jeffries, Pamela Lancaster and Robert Rye. Also present were County Attorney Jerry Janulewicz and news media representatives from the *Grand Island Independent* and KRGH.

Jeffries made a motion and Arnold seconded to approve the following by consent agenda:

1. Accept and Place on file the minutes of the May 8th meeting
2. 11 Approve the keno application for 2003-2004. The application will be due July 14, 2003 at 8:30 a.m. and the keno work-study session will be held July 30, 2003 to consider the applications
3. 13 Approve Resolution #03-0033 for the exchange of collateral for Heritage Bank
4. 15 Approve the final plat for O'Neill Acres Subdivision
5. 15 Approve the final plat for North Fork West Subdivision
6. 15 Approve the final plat for Grand Island Farmstead Project 4th Subdivision
7. Accept and place on file the office report for the Register of Deeds
8. Accept and place on file the Hall County Treasurer's Miscellaneous Receipts
9. Accept and place on file communications as received

Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

OFFICE REPORT HALL COUNTY REGISTER OF DEEDS APRIL 2003

DOCUMENTARY STAMP TAX FEES	\$6,512.45
RECORDING FEES	\$33,916.50
PHOTO FEES	739.90

COUNTY ATTORNEY DISCUSS AND TAKE ACTION ON PROPOSED RESOLUTION WITHDRAWING DESIGNATION OF DTE RAIL SERVICES INC. – County Attorney Jerry Janulewicz was present, also present were Gary Hedman With SPPD and Ken Hinman with DTE Rail. He stated that this matter came forward from the Reuse Committee meeting concerning the request to withdraw the designation of tracts 24, 34, 35, 36 and 47, except for the existing rail facilities and the easements for the rail purposes. The reuse committee approved this request and a resolution and a letter has been prepared for this change and distributed to the county board.

Eriksen made a motion and Jeffries seconded to approve Resolution #03-0034 withdrawing designation of DTE Rail Services, Inc. as transferee of certain lands and interest at CAAP and designating Nebraska Public Power District as the transferee of the same. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

PUBLIC PARTICIPATION – Chairman Lancaster called for public participation and no one responded.

9 DISCUSS AND RESPONSE TO LETTER FROM DMV REGARDING LICENSE PLATES – The County board received a letter from the Nebraska Department of Motor Vehicles concerning the alpha-numeric license plate system. In a county with a population of less than 100,000 they can elect to use the alphanumeric plates. If an individual wants to retain the county number on the plate they can apply for a message plate. Jeffries stated that this was done in 1950, but for only one year then it was changed back. Arnold stated that the county plate number is helpful to law enforcement and he likes to have the county number on the plate. Discussion was held and Jerry Janulewicz clarified that the board does not need to notify the department if they want to keep the current county plates.

1a TERRY FALKENA NOHVA NEBRASKA OFF HIGHWAY VEHICLE ASSOCIATION REGARDING PUBLIC LAND FOR OPEN RIDING – Dennis Walz was present and requested to speak to the county board concerning the off highway vehicle association. He stated that he is a member of this group and there are not a lot of areas that they can ride the ATV's or dirt bikes. They wondered if there might be some area at CAAP that would be available. Discussion was held and there may be an area developed in the Loup City area, but this would be a private area.

Eriksen stated that the land at CAAP has been sold to private owners and the only land that may be available would be some of the land that the city has purchased for recreational development. Mr. Walz stated that he has talked to the city and the mayor directed him to the county.

Hartman suggested that maybe SPPD or NPPD might have land available. Private land may not be available because of the cattle.

Lancaster stated that the NPPD's land is for a power plant and SPPD's land is to be used for industrial development.

Eriksen suggested that Mr. Walz talk to Steve Paustian with the City of Grand Island.

Arnold stated that if everyone that uses the land wants to be responsible then it isn't a problem, but it may be difficult to manage. This could attract tourism and might be a business resource.

10 DISCUSS AND APPROVE BUDGET LETTER TO COUNTY OFFICIALS – The County Board met for a work-study session on Monday and approved the letter. Now they need to take formal action so the letter can be distributed to the elected and appointed officials. Eriksen made a motion and Jeffries seconded to approve the budget letter and distribute it to the county officials. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

12 UPDATE ON JAIL TOUR – Lancaster stated that some of the board members toured the Douglas and Butler County Kansas jail facilities. She noted that one of the facilities has a courtroom in the jail. At first this would appear to be a good fit but the judges resist holding trials in a detention facility, there needs to be separation between the two.

The Butler County Kansas facility is one story, conservative and well arranged for optimum efficiency. It is a 22 to 25 million-dollar facility. Lancaster stated that the time line may be a concern because of the legislation and if one of the state facilities is closed this may affect the need of additional beds from county facilities. The attorney general opinion that was received may not have addressed all of the considerations and the status of a second attorney general opinion is not known. She also noted that Douglas County has recently gone to a board of corrections and it will be interesting to watch as they start this new system.

Arnold also expressed concern on the attorney general opinion and that some of the issues were not addressed by the opinion. He had discussion with the attorney general at one of the crime commission meetings and it was suggested to contact our state senator for another opinion. Arnold will address this and get back to the board at a future meeting.

9:45 SCOTT ROSENTHAL DISCUSSION AND APPROVAL OF THE RENEWAL OF USDA ANIMAL CONTROL CONTRACT – Scott Rosenthal, wildlife specialists and Ron Fryda, supervisor, were present to address the renewal of the contract. Hartman stated that there is a concern on the number of rabies cases and this needs to be addressed.

Mr. Fryda distributed a chart addressing the number of rabies cases in Hall County. The cases that are reflected on the chart are the cases that have been tested. Because of the number of cases it is important to address the exposure of rabies to humans. Mr. Fryda stated that he has two contracts one is a renewal of the same three-year contract that we have had and the second contract would allow more work on the rabies problem in Hall County. He is proposing increase the contract by \$2,000.00 with a total of \$11,487.00. This would allow them to address additional complaints if they are received. He stated that Stuhr Museum had had four skunks trapped and they all tested positive for rabies and with the number of students and adults that go through the museum this could be a serious problem. The additional work will not get rid of the problem but it will help manage the problem.

Jeffries made a motion to adopt the new contract. He stated that Mr. Rosenthal does an excellent job and he services three counties. Mr. Fryda suggested that the county board set up a committee to meet with them to keep up with the problem.

Arnold questioned what the public could do to address this issue. Mr. Fryda stated that any time there is a dead animal it needs to be addressed. He said he will provide information to the weed department for the public and all animals need to be vaccinated. If they are vaccinated they will not get rabies.

Hartman seconded the motion to approve the new contract for \$11,487.00.

Eriksen questioned what the additional dollars would do and Mr. Fryda stated that it would allow them to purchase more equipment and provide additional hours of service.

Lancaster asked if Jeffries would amend his motion to allow the county attorney to review the contract.

Jeffries amended the motion and Hartman seconded to have the county attorney review the contract and authorize the chair to sign.

Jeffries questioned if Mr. Rosenthal would be able to handle all of the calls. Discussion was held and Arnold suggested that the committee set a meeting the Friday before the next board meeting to check on the progress of the new program. Mr. Fryda stated that once they get started they could address the needs with the committee.

Vote on motion to approve the contract. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

6 DARREL STANDARD GREAT PLAINS APPRAISAL DISCUSSION REGARDING PROTEST PROCESS – Daryl Standard with Great Plains Appraisal was present and County Assessor Jan Pelland was also present.

Pelland stated that once a protest is picked up from her office and filed the public is encouraged to set up an appointment with the referees for an informal hearing these are scheduled by the County Clerk once it is filed. The public is encouraged to provide information supporting the protest in the form of appraisals, contracts, or listing information. If there are errors in the description of the property this is documented and appointments are set up to review the property. Also if there are problems with condition or environmental issues this is also documented and inspected. Three or four comps are pulled from the sales base to compare to the subject property. The date of the hearing, who was present, and the documents that were supplied are included in the assessor's records. Pelland stated that she reviews all of this information and then recommendations are made.

Arnold stated that when people came to the formal hearings some of them did not know about the inspections and the board wants to make sure that all of the issues are addressed. If this is done maybe they can minimize the need for the people to come to the formal hearings. He suggested a checklist on the issues. He questioned what happens if property protested does not agree with assessor. Pelland stated that there may be negotiations between the parties.

Mr. Standard stated that even if the protest that is filed just states that the taxes are too high it is still reviewed. If the property has problems the referees will recommend a lower value.

Jan Pelland stated that she goes through each protest verifies the information that is in the cards and now they use the postcard notification from the informal hearing so that once a taxpayer has an informal hearing they receive a postcard informing them of the results of that hearing. If the property owner is not satisfied they can attend the formal hearing with the board of equalization.

The board will hold the public hearing and return to this matter.

8 10:30 A.M. PUBLIC HEARING FOR REGIONAL PLANNING ON ZONING CHANGES AT CAAP – Jeffries made a motion and Arnold seconded to open the public hearing for the zoning changes at CAAP. Regional Planning Director Chad Nabity was present and they are requesting to rezone tracts 27A, 27B 38A and 38B at CAAP. This property is located North of Old Potash Highway and West of 60th Road and they are requesting to change it to special agriculture/Industrial. SPPD is the designated buyer of this property and are requesting the rezoning of the area around the railroad tracts for industrial development. Nabity stated that the Regional Planning Commission met and they held a public hearing and they approved the rezoning request.

Hartman questioned if this would change the livestock end of the property in this area.

Nabity stated that the livestock regulations are the same. When the comprehensive development plans is adopted there may be changes. Feed lots are a permitted special use.

Chairman Lancaster called for public response and no one responded.

Jeffries made a motion and Humiston seconded to close the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Mr. Nabity stated that the board will need a motion to approve the resolution for the zoning changes in two weeks.

6 RETURNED TO DISCUSSION REGARDING INFORMAL PROTESTS – The board returned to the discussion with Daryl Standard. The board questioned if the taxpayer uses comparables and Great Plains uses comps and there is a disagreement on the comps that are used what is done.

Pelland stated that the appraisals are a very objective process and from one appraiser to another they may not use the same comps. The new computer system will pull comps for the subject property and the referees will still have the sales book to pull additional comps. There is not a right or wrong on the comps that are used.

Lancaster stated that the referee process is a benefit to the taxpayer.

Eriksen stated that through the informal protest process they need to try and work out the differences. Lancaster stated that even if they do not attend the informal hearings they will not be turned away at the formal hearings.

Pelland addressed concerns from Mr. Jeffries on occasional high end sales and sales of property that may be affected by location. She stated that sometime a specific sale

cannot be used because it would be sales chasing and if there is a location problem, this is reviewed.

Mr. Standard stated that if a location is adjusted economic reasons the market may already be adjusting because of the location, the sales might be down.

Discussion was held on the informal hearing process and Mr. Standard suggested that the referees use a check-list and if an inspection is to be done the property owner could sign off on it and this form would become part of the record.

Hartman questioned how a home is valued if it is not completed.

Pelland stated that the property is assessed on the stage of completion and if property is sold the taxes are prorated between the buyer and seller.

Discussion was held and the assessor's committee will meet next week to address the checklist for the referee's before the informal hearings start in June.

17 11:00 A.M. EXECUTIVE SESSION PERSONNEL GRIEVANCE – Jeffries made a motion and Eriksen seconded to go into executive session regarding the personnel grievance. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

11:12 a.m. executive session

12:20 a.m. Jeffries made a motion and Humiston seconded to go out of executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

18 EXECUTIVE SESSION REGARDING LITIGATION – Jeffries made a motion and Humiston seconded to go into executive session for litigation. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

12:21 a.m. executive session

12:30 p.m. Rye made a motion and Humiston seconded to go out of executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

16 COMMENCE AUDIT OF BI WEEKLY PAY CLAIMS AND MONTHLY VENDOR CLAIMS – The board members reviewed the claims and Rye made a motion and Jeffries seconded to approve the bi-weekly pay claims and the regular vendor claims. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

BOARD ASSISTANT'S REPORT – Board Assistant Stacey Ruzicka included her progress report in the packets. She reminded the board members of the meeting at Stuhr Museum at 3:00 p.m. and the CNCS meeting at 5:00 p.m. today. There will be an ADA meeting tomorrow at noon and the Memorial Day Services will be held at the Veterans home this weekend.

BOARD MEMBER'S REPORT – Hartman – no report

Humiston – no report

Eriksen – no report

Rye – He reported that he attended the library board meeting.

Jeffries – no report

Arnold – no report

Lancaster – no report

Jeffries stated that the new county engineer Jeff Polik is re-writing the specifications to restore the Hall County Park to its original condition. They should be completed and brought to the board in two weeks. Then they will advertise and go out for bids.

NEW OR UNFINISHED BUSINESS – Chairman Lancaster called for new or unfinished business and no one responded.

Meeting adjourned at 12:40 p.m. The next meeting will be June 3rd at 9:00 a.m.

Marla J. Conley Hall County Clerk